

# DRAFT

Select Board Meeting  
April 27, 2009  
Town Room, Town Hall

DRAFT

## MINUTES

### ATTENDANCE

Stephanie O'Keeffe (Chair), Alisa Brewer, Aaron Hayden (Clerk), Diana Stein, Gerald Weiss  
Town Staff: Laurence Shaffer, Town Manager; John Musante, Assistant Town Manager/Finance Director; Sonia Aldrich, Comptroller; David Ziomek, Director of Conservation and Planning; Stephanie Ciccarello, Wetlands Administrator.  
Members of the Public: Larry Ely, Steve Randall, Rob Crowner, Bill Elsasser

### CALL TO ORDER

Meeting called to order by Ms. O'Keeffe at 6:30 p.m.

### PUBLIC COMMENT

Mr. Ely, Mr. Randall and Mr. Crowner spoke support of maintaining rail service in Amherst and urged that the Town be more active in its advocacy for that. Mr. Elsasser spoke about recent issues at Not Bread Alone.

### SELECT BOARD'S ACTION

#### **Clean Energy Grant Support**

The Board agreed to sign a letter in support of a block grant proposal made by the Pioneer Valley Clean Energy Collaborative. No vote was taken.

#### **Audit Committee Report for Year Ending June 30, 2009**

John Musante, Assistant Town Manager/Finance Director, and Sonia Aldrich, Comptroller, presented the FY08 audit results. The Board requested that the presentation materials be made available on the Town website.

#### **FY09 3<sup>rd</sup> Quarter Budget Update**

Mr. Musante distributed information to the Board and gave an update on the third budget quarter of FY 2009. The Board requested that the information be made available on the Town website.

#### **Town Manager's Report**

Mr. Shaffer gave an update on the current status of the potential Swine Flu cases at Amherst College, and spoke about the hard work of the Kendrick Park Committee.

Mr. Shaffer outlined some upcoming events he would be participating in including: attending the 40th Anniversary Benefit for A Better Chance on May 2, 2009; the Amherst Survival Center dunk tank fundraiser on May 2, 2009; and the Ride Buzz benefit concert on May 2, 2009 in Kendrick Park.

Mr. Shaffer reported that neighbors in the North Prospect Street area have hired private security for the next couple of weekends to deal with noisy people returning to their cars after bars close. The past weekend in Town was tough for public safety, as they responded to more than 260 calls on Friday and Saturday nights resulting in more than 60 arrests, and two injured police officers. The State Police are scheduled to help for next two weekends.

Saturday, April 25, 2009 was Extravaganja; this was a big event however no problems were reported. Those in attendance were well-behaved and Common was left clean.

Mr. Shaffer stated that the Waxman Funds Distribution proposal was awaiting recommendation from the Committee on Homelessness before it comes before the Board.

## **Member Reports**

The Board decided to postpone consideration of revisions to the Appointed Committee Handbook until after the conclusion of Annual Town Meeting. It was also requested that each Board member would give an update on the progress of posting agendas and minutes on the web for the boards and committees they are assigned to, and communicate with each board appropriately.

Mr. Weiss gave updates on the Council on Aging and their "Stay Put" program. In addition, Mr. Weiss spoke about the Disability Access Advisory Committee's (DAAC) issues regarding the accessibility of Amherst train station. Another topic of discussion from the DAAC was towing from handicapped spaces in private lots, and Mr. Weiss indicated that a bylaw may come before Fall Town Meeting that would address that issue.

Ms. Stein stated that the Local Historic District Study Committee is seeking SB and staff liaisons; and that the Agricultural Commission is inquiring about the notification to Realtors, as described in the "Right to Farm" bylaw passed last year.

Ms. Brewer announced that the 250<sup>th</sup> Celebration Committee will hold a benefit on Cruise Night at Atkins on June 1, 2009; Ms Brewer was asked to provide additional information on how the Select Board will be participating the Town of Hadley's 350<sup>th</sup> Celebration Parade.

Ms. O'Keeffe announced that the Public Transportation & Bicycle Committee is indexing existing downtown bike parking and has made recommendations to Guilford Mooring, Superintendent of Public Works for more spaces, per last year's Select Board request. Ms. O'Keeffe stated that the Town Commercial Relations Committee is compiling info about the Town's handling of business issues and will report said issues to the Select Board in future. Additionally, Ms. O'Keeffe spoke about the Campus and Community Coalition - Retail Partners Group looking at best practices to prevent selling alcohol to minors in bars and package stores; Amherst Police Department Captain Mike Kent and UMass Police Department Deputy Chief Patrick Archibald speak at conferences nationally about the collaboration between the Town and University regarding student behavior.

## **Discussion of Meeting Plans During Town Meeting**

It was agreed that Select Board meetings taking place prior to Town Meeting Sessions would be scheduled for 45-50 minutes, and would not include a public comment period; concerns from the public may be scheduled as agenda items, with advance notice. Additionally, the need for meeting before every Town Meeting session was discussed, and should Town Meeting not meet on a particular date, the Select Board would still meet as scheduled on Monday evenings at Town Hall, but any non-Monday meetings would be cancelled.

## **Chair's Report**

Ms. O'Keeffe provided update on Leverett Town Meeting's vote in support of a Level 1 budget for the Regional Schools. Ms. O'Keeffe announced that officials from the Four Towns are invited to the April 28, 2009 Regional School Committee meeting for further budget discussion and information. Additionally, she spoke to a student news reporter at UMass regarding the Four Unrelated Persons bylaw enforcement, and reported recent attendance by herself, Ms. Brewer and Ms. Stein at the recent Hadley Founder's Day Celebration.

**Raise Fines/Bus Stop Violations**

A request was placed by the Office of the Collector to raise the fines for parking in a designated bus stop to \$100 which is the maximum amount allowed by Massachusetts General Law.

**VOTED** unanimously, that the Select Board, consistent with MGL as amended by 2008, 465, Sec. 1 effective April 7, 2009, hereby establishes the fine for the violation of parking in a designated bus stop to be \$100.00 per offense, said fine to be incorporated into the Town of Amherst Parking Violation fee schedule, effective May 30, 2009.

**Personnel Proposal**

This item was postponed to a later date.

**LICENSES AND PERMITS**

**Taxi Business License – Frank Orlando, Jr.**

**VOTED** unanimously, to approve the new Taxi Driver's License for Frank P. Orlando, Jr., 96 Pleasant Street, #30, Northampton, MA.

**Taxi Business License – Monique Santos**

**VOTED** unanimously, to approve the new Taxi Driver's License for Monique Santos, 119A Brittany Manor Drive, Amherst, MA.

**Special Wine & Malt Liquor License – University of Massachusetts**

**VOTED** unanimously, to approve the Special Wine & Malt Liquor License for the University of Massachusetts for May 2, 2009 at the Renaissance Center for a dinner.

**WARRANT ARTICLES**

**May 4, 2009 Annual Town Meeting Articles**

**Article 19 – CPAC Open Space - Johnson**

**VOTED:** O'Keeffe, Brewer, Hayden, Stein "Aye", Weiss abstained to recommend Article 20 – CPAC Open Space – Johnson; Mr. Hayden will speak to this Article at Town Meeting.

**Article 20 – CPAC Open Space - Olendzki**

**VOTED:** O'Keeffe, Brewer, Hayden, Stein "Aye", Weiss abstained, to recommend Article 19 – CPAC Open Space – Olendzki; Mr. Hayden will speak to this Article at Town Meeting.

**Article 22 – FY10 Operating Budget**

The Board agreed to defer its recommendation to a later date, as there was not enough information to take an official position at this time.

**Article 24 – Reserve Fund**

**VOTED** unanimously, to recommend Article 24 – Reserve Fund in the amount of \$100,000; Ms. Stein will speak to this Article at Town Meeting.

**Article 25 – Capital Program – Chapter 90**

**VOTED** unanimously, to recommend Article 25 – Capital Program – Chapter 90 in the amount of \$670,000; Mr. Weiss will speak to this Article at Town Meeting.

**Article 26 – Capital Program – Buildings & Facilities**

The Board agreed to defer its recommendation to a later date, as there was not enough information to take an official position at this time.

**Article 27 – Capital Program – Equipment**

The Board agreed to defer its recommendation to a later date, as there was not enough information to take an official position at this time.

**Article 29 – Free Cash**

The Board agreed to defer its recommendation to a later date, as there was not enough information to take an official position at this time.

**Article 30 – Stabilization**

The Board agreed to defer its recommendation to a later date, as there was not enough information to take an official position at this time

**ADJOURNMENT**

**VOTED** unanimously, to adjourn the open meeting at 10:09 p.m.

## **APPENDIX**

### **Ms. O'Keeffe's 4/27/09 Post-Meeting List**

#### **Voted:**

- Unanimously to approve the taxi drivers licenses for Frank Orlando Jr. and Monique Santos, in a single vote, combining the motions provided (and correcting Mr. Orlando's address, which was right on the paperwork, but had an error in the motion.)
- To recommend Article 19 - CPAC Open Space -- Johnson property, in a vote of 4 in favor, 1 abstention (Weiss); Aaron will speak to this at Town Meeting
- To recommend Article 20 - CPAC Open Space - Olendzki property, in a vote of 4 in favor, 1 abstention (Weiss); Aaron will speak to this at Town Meeting
- Unanimously to recommend Article 24, Reserve Fund; Diana will speak to this at Town Meeting
- Unanimously to recommend Article 25 - Capital Program - Chapter 90; Gerry will speak to this at Town Meeting
- Unanimously to increase fines for parking violations in bus stops, per the motion provided (amended to make the correction: "effective" May 30th)
- Unanimously to approve the Special Liquor License for a UMass event, per the motion sheet

#### **Agreed, without votes:**

- To sign the letter provided to the Select Board, in support of the block grant proposal made by the Pioneer Valley Clean Energy Collaborative
- That any Select Board member interested in attending the Tree City USA Awards Conference on May 8th in Sturbridge, should contact Diana for more information
- To defer a recommendation on Article 22 - FY10 Operating Budget
- To defer a recommendation on Article 26 - Capital Program - Equipment
- To defer a recommendation on Article 27 - Capital Program - Buildings & Facilities
- To defer a recommendation on Article 29 - Free Cash
- To defer a recommendation on Article 30 - Stabilization
- To deal with revisions to the Appointed Committee Handbook after Town Meeting
- That each SB member would look into the status of agenda and minutes web postings for the boards and committees to which we are liaison, and follow up with them directly
- That we will sign a letter to MassHighway (to be provided by Rob Kusner) in support of federal stimulus money for completing the Manhan Rail Trail

#### **Agreed, without votes, regarding the Select Board's Town Meeting plans:**

- That Select Board meetings held in the Music Room would be scheduled for 45 or 50 minutes, to allow us to get in to the auditorium on time

- That meetings in the Music Room would not include public comment, and that if members of the public have an issue to address with us during that time, that they should call or e--mail us to see if we can otherwise accommodate them on the agenda
- That while we hope to not have to meet before every TM session, we can't know yet which of those scheduled times won't be necessary, so we will keep all our currently-scheduled pre-TM meetings and decide at each one whether to keep or cancel the next one
- That if Town Meeting doesn't meet on any of its scheduled dates, the Select Board would still meet on those Mondays (and would do so at Town Hall, rather than the ARMS Music Room) but would cancel any non-Monday meetings (including the 5/27 date, even though it is the only SB meeting scheduled that week)
- That when speaking to Article 1, Diana will thank all the boards and committees, on behalf of the Select Board, whose work has served Town Meeting and contributed to the creation of the warrant articles
- That the Select Board will receive the draft scripts ahead of time, so that we know the speaking order and motions for the articles (noted also as a request below)
- That in the interest of efficiency, we will take a minimalist approach to speaking to recommendations on the articles, adding new or additional info when necessary, but otherwise letting "for all the reasons previously stated" suffice

**Requested:**

- That the Audit Report information and 3rd quarter budget update be made available in the appropriate places on the Town web site
- That Stephanie and Diana, as JCPC reps, be able to explain to Town Meeting why the Library and Town Hall maintenance work in the capital plan is not eligible for CPA funds
- That we receive in our next packets a copy of the e-mail Gerry sent to the Housing Partnership/Fair Housing Committee with questions about how CPA funds might address the expiration of Rolling Green's affordability requirement in 2013, and the risk of the town's affordable housing stock falling below the 10% threshold
- That the Select Board get copies in the next week or two of the new letters regarding expiring committee appointments (Alisa and Diana are handling this)
- That the Select Board get a copy of the letter we sent to committees about posting agendas and minutes on the web, and a copy of the status report on such postings that Mary Streeter had sent to us (Stephanie is handling this)
- That information about the Health Department's May 19th social justice documentary screening and event be posted on the Town web site
- That the Select Board receive the draft Town Meeting scripts ahead of time, so that we know the speaking order and motions for the articles (Stephanie will handle this or coordinate it with Kate)
- That Alisa gets us more information about the Hadley 350th Parade, so we can decide whether to walk, be on a float, be in a classic car, etc.

- That in the interest of saving paper, we no longer receive agendas, minutes and decisions of Planning Board, ZBA and Design Review Board in our packets, and instead receive just their agendas by e-mail

**Items to be added to the 5/4 agenda:**

- Signing the letter in support of Federal stimulus funds
- Briefing on the Health Department's grant-funded work about how inequality affects health
- Approval of the 4/13 and 4/22 minutes, distributed at this meeting

**Items to be added to future agenda, not necessarily for the next meeting:**

- Personnel Proposal discussion - postponed due to late hour and to allow for more research; Gerry will let Stephanie know when it is ready to be scheduled again

**Materials to be brought back to the next meeting:**

- Draft minutes from 4/13 and 4/22

